

REMARKS

The foregoing amendment is intended to be fully responsive to the Official Action mailed August 05, 2008.

Drawing Objections

The drawings were objected to for failing to properly label the “two cross elements”, the “free segment 5” and “guide tracks 6”. Additionally the drawings were objected to for failing to illustrate the “seals” of claims 5 and 14 and the “adjustable” drive catches of claims 1 and 9. Figure 1 has been amended to include the additional reference numerals 6 and 13 as required by the examiner. Additionally, the “adjustable” feature has been deleted from claims 1 and 9. Lastly, claims 5 and 14 have been cancelled. No new matter has been entered and applicant respectfully requests withdrawal of these drawing objections.

Claim Objections

Claims 1-8 and 10-12 were rejected under 35 U.S.C. § 112, second paragraph, for indefinite claim language. Applicant has reviewed and amended these claims to address the indefinite language noted by the patent examiner. No new matter has been entered.

Claim Rejections – 35 U.S.C. § 102

Claims 1-16 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,226,259 (Yamagata et al. ‘259). Applicant respectfully traverses the rejection based on the foregoing amendments to claims 1-17 and the following comments.

Applicant has amended independent claims 1 and 9 to recite structural features of the present invention not shown or suggested by the prior art. Notably, Yamagata et al. '259 was cited against the corresponding European application and the similar amendments in the corresponding case resulted in an allowance by the EPO.

Yamagata et al. '259 shows an automotive door equipped with a window regulator constructed as a "sandwich" module. The sandwich module comprises an outer panel module 2, a frame module 5 to which a pane lift module 3 and a door lock module 4 are secured to constitute an interior unit. Further, the door comprises an inner panel module 6. The inner and outer panel modules 2, 6 are secured at their peripheral portions to sandwich the interior unit between them. The pane lift module 3 comprises a sash 13 with guides 11, where the guides 11 guide carrier blades 19 carrying the window pane 10 which is driven a reversible electric motor 20.

The automotive door of Yamagata et al. '259 has the disadvantage of a complicated "sandwich" construction. The Yamagata et al. '259 door consists of at least five components which have to be mounted or connected with each other.

The primary advantage of the currently claimed invention with the window pane and cross-elements 13 are inserted from above into the hollow of the door. The claimed construction provides a high degree of integration, whereby substantially fewer parts must be combined or installed at the manufacturer's assembly line when compared to Yamagata et al.' 259.

Anticipation under Section 102 requires that a single reference disclose each and every claimed limitation of a claim. Because Yamagata et al. '259 does not fulfill this requirement, Applicant respectfully submits that the Section 102(b) rejection should be withdrawn.

If, after reviewing the above, the Examiner believes any issues remain unresolved, the Examiner is invited to contact the undersigned, by telephone, to discuss the same.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Matthew W. Stavish", is written over a horizontal line.

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